

Fill in this information to identify your case:

United States Bankruptcy Court for the:

MIDDLE DISTRICT OF NORTH CAROLINA

Case number *(if known)*

Chapter

11☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Nashbar Direct, Inc.

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) 56-2186744

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

144 Old Lystra Road
Chapel Hill, NC 27517

Number, Street, City, State & ZIP Code

P.O. Box, Number, Street, City, State & ZIP Code

Chatham

County

Location of principal assets, if different from principal place of business

Commercial Warehouse in Youngstown OH

Number, Street, City, State & ZIP Code

5. Debtor's website (URL) _____

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))☐ Partnership (excluding LLP)☐ Other. Specify: _____

Debtor **Nashbar Direct, Inc.**
Name

Case number (if known)

7. Describe debtor's business**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

4539**8. Under which chapter of the Bankruptcy Code is the debtor filing?****Check one:**

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**☒ No.☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?☐ No☒ Yes.

List all cases. If more than 1, attach a separate list

Debtor	See Attachment	Relationship	_____
District	_____	When	_____
		Case number, if known	_____

Debtor **Nashbar Direct, Inc.**
Name

Case number (if known)

11. Why is the case filed in this district?*Check all that apply:*

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?☒ No☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.**Why does the property need immediate attention?** (*Check all that apply.*)☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other _____**Where is the property?** _____

Number, Street, City, State & ZIP Code

Is the property insured?☐ No☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information**13. Debtor's estimation of available funds***Check one:*☐ Funds will be available for distribution to unsecured creditors.☒ After any administrative expenses are paid, no funds will be available to unsecured creditors.**14. Estimated number of creditors**☐ 1-49☐ 50-99☐ 100-199☒ 200-999☐ 1,000-5,000☐ 5001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated Assets**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☒ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion**16. Estimated liabilities**☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☒ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor **Nashbar Direct, Inc.**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **November 16, 2018**
MM / DD / YYYY**X /s/ Patrick J. Cunnane**

Signature of authorized representative of debtor

Patrick J. Cunnane

Printed name

Title **President****18. Signature of attorney****X /s/ John A. Northen**

Signature of attorney for debtor

Date **November 16, 2018**

MM / DD / YYYY

John A. Northen

Printed name

Northen Blue, LLP

Firm name

**PO Box 2208
Chapel Hill, NC 27515**

Number, Street, City, State & ZIP Code

Contact phone **919-968-4441**

Email address

6789 NC

Bar number and State

Debtor **Nashbar Direct, Inc.**
Name

Case number (if known)

Fill in this information to identify your case:

United States Bankruptcy Court for the:

MIDDLE DISTRICT OF NORTH CAROLINA

Case number (if known)

Chapter

11☐ Check if this an amended filing**FORM 201. VOLUNTARY PETITION****Pending Bankruptcy Cases Attachment**Debtor **Advanced Sports Enterprises, Inc.**

Relationship to you

AffiliateDistrict **Middle District of North Carolina**

When

11/16/18

Case number, if known

Debtor **Advanced Sports, Inc.**

Relationship to you

AffiliateDistrict **Middle District of North Carolina**

When

11/16/18

Case number, if known

Debtor **Bitech, Inc.**

Relationship to you

AffiliateDistrict **Middle District of North Carolina**

When

11/16/18

Case number, if known

Debtor **Performance Direct, Inc.**

Relationship to you

AffiliateDistrict **Middle District of North Carolina**

When

11/16/18

Case number, if known

Fill in this information to identify the case:Debtor name Nashbar Direct, Inc.United States Bankruptcy Court for the: MIDDLE DISTRICT OF NORTH CAROLINA

Case number (if known) _____

☐ Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ *Amended Schedule*
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☒ Other document that requires a declaration **List of Equity Security Holders**

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **November 16, 2018****X /s/ Patrick J. Cunnane**

Signature of individual signing on behalf of debtor

Patrick J. Cunnane

Printed name

President

Position or relationship to debtor

Fill in this information to identify the case:Debtor name **Nashbar Direct, Inc.**United States Bankruptcy Court for the: **MIDDLE DISTRICT OF NORTH CAROLINA**

Case number (if known): _____

☐ Check if this is an
amended filing**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders** 12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
ACCELL NORTH AMERICA, INC. ATTN: MANAGING AGENT BOX 329557 PITTSBURGH, PA 15251-9557		INV				\$61,135.88
ARIZONA DEPT. OF REVENUE ATTN: MANAGING AGENT PO BOX 29010 PHOENIX, AZ 85038-9010		TAX				\$1,586.21
B & W INTERNATIONAL GMBH ATTN: MANAGING AGENT INGRID PIEPEL JUNKENDIEK 5 IBBENBUREN 49479 GERMANY		INV				\$8,741.98
BUSHNELL CORPORATION ATTN: MANAGING AGENT PO BOX 73310 CHICAGO, IL 60673-7310		INV				\$19,517.75
CALIFORNIA DEPT. OF TAX & FEE ADMIN. ATTN: MANAGING AGENT PO BOX 942879 SACRAMENTO, CA 94279-0013		TAX				\$13,175.00

Debtor **Nashbar Direct, Inc.**

Case number (if known)

Name

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				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
DIAGNOSTICS DIRECT INC. ATTN: MANAGING AGENT MICHAEL MEMO 117 NORTH AVE YOUNGSTOWN, OH 44502		OTH				\$1,928.00
FITWELL BICYCLE COMPANY, INC. ATTN: MANAGING AGENT RYAN CATE 4112 GRAND AVE S. MINNEAPOLIS, MN 55409		INV				\$3,300.00
FLEXIP SOLUTIONS ATTN: MANAGING AGENT 825 SPRINGDALE DR EXTON, PA 19341		MIS				\$1,351.95
INDIANA DEPT. OF REVENUE ATTN: MANAGING AGENT PO BOX 7218 INDIANAPOLIS, IN 46207		TAX				\$1,756.24
MARYLAND-COMPT ROLLER TREASURY ATTN: MANAGING AGENT TAX ADMIN.DIV.REM.PR OC.CENTER 110 CARROLL STREET ANNAPOLISAnnapolis, MD 21411-0001		TAX				\$1,355.73
PROFILE DESIGN ATTN: MANAGING AGENT 2677 EL PRESIDIO ST. LONG BEACH, CA 90810		INV				\$33,391.73

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				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
ROCKY MOUNTS, INC. ATTN: MANAGING AGENT ALEX CAURDY 2845 29TH STREET, UNIT B BOULDER, CO 80301		INV				\$6,006.36
SARIS CYCLING GROUP INC. ATTN: MANAGING AGENT 5253 VERONA ROAD MADISON, WI 53711		INV				\$10,614.65
SC DEPT. OF REVENUE ATTN: MANAGING AGENT REGISTRATION SECTION P.O. BOX 125 COLUMBIA, SC 29214		TAX				\$1,272.25
STATE OF MICHIGAN ATTN: MANAGING AGENT MICHIGAN DEPT OF TREASURY PO BOX 30324 LANSING, MI 48909		TAX				\$2,142.40
THULE INC. ATTN: MANAGING AGENT STEVE BOX 512315 PHILADELPHIA, PA 19175-2315		INV				\$2,248.44
TODSON INC. ATTN: MANAGING AGENT LUCY ATTN: NEAL TODRYS P.O. BOX 637 FOXBOROUGH, MA 02035-0637		INV				\$5,328.28

Debtor **Nashbar Direct, Inc.**

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				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
UNITED PARCEL SERVICE ATTN: MANAGING AGENT CREDIT DEPARTMENT ATTN. ROSA/ CREDIT DEP 7401 W. SUNNYVIEW AVENUE VISALIA, CA 93291		FRT				\$52,134.49
VISTA OUTDOOR SALES LLC ATTN: MANAGING AGENT PO BOX 860547 MINNEAPOLIS, MN 55486		INV				\$54,123.50
ZOIC ATTN: MANAGING AGENT ARI SHAPIRO 5611 PALMER WAT SUITE F CARLSBAD, CA 92010		INV				\$9,471.40

**United States Bankruptcy Court
Middle District of North Carolina**

In re **Nashbar Direct, Inc.**

Debtor(s)

Case No.
Chapter**11**

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Advanced Sports Enterprises, Inc. c/o Patrick J. Cunnane 144 Old Lystra Road Chapel Hill, NC 27517		100	Common Stock

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the **President** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date **November 16, 2018**Signature **/s/ Patrick J. Cunnane**
Patrick J. Cunnane

*Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.*